

**TENNESSEE BOARD OF NURSING
GROUND FLOOR, CORDELL HULL BUILDING
CUMBERLAND ROOM
425 5TH AVENUE NORTH
NASHVILLE, TN 37247-1010**

September 7-8, 2005

MINUTES

Call to Order	C. Stegbauer, Chairman, called the meeting to order at 8:45 a.m. on Wednesday, September 7, 2005.
Roll Call/Declaration of a Quorum	The Chairman declared a quorum present.
Members Present	Barbara Brennan, R.N. Wilmetta Collie, L.P.N. Wanda Hooper, R.N. Sheila Jackson Priebe, Public Member Donna Roddy, R.N. Dava Shoffner, R.N. Cheryl Stegbauer, R.N. Barbara Wallace, L.P.N.
Members Absent	None
Staff Present	Elizabeth Lund, R.N., Executive Director Madeline Coleman, RN, Nursing Consultant Joyce Young, Paralegal Robbie Bell, Director, Health Related Boards Brandi Bozarth, Assistant General Counsel Raney Irwin, Assistant General Counsel Teddy Wilkins, Paralegal Wilma James, Deputy General Counsel Gerry Crownover, Assistant General Counsel Laurie Doty, Deputy General Counsel
Approval of Minutes	B. Brennan moved and seconded by W. Hooper to approve the June 1-2, 2005 minutes as distributed. 8 - Yes Carried

Introduction of Staff

C. Stegbauer introduced the staff present.

Recognition and Welcome to Visitors

C. Stegbauer recognized and welcomed the following guests:

Appalachian State Practical Nursing Program

TTC Practical Nursing Program

Four Rivers Practical Nursing Program.

Rhonda Hunt
RN # 116984
APN # 7667

Administrative Law Judge: Mary Collier
Attorney for the State: Raney Irwin
Respondent: Present, represented by counsel, Ms. Phillips.

Petition for Reconsideration

B. Brennan moved to lift the stay of the December 2004 order of the Board of Nursing and fully reinstate the RN license of Rhonda Hunt. Seconded by D. Shoffner.

8 Yes
Carried

S. Priebel moved and seconded by W. Hooper to deny petition for reconsideration, but also find the terms of the August order have been met.

8 yes
Carried

Recusal

Sheila Jackson – Priebel recused herself.
Seven members present.

Tina Archie
Unlicensed applicant

Administrative Law Judge: Mary Collier
Attorney for the State: Wilma James
Respondent: present, representing herself.

Petition for reconsideration of denial

D. Shoffner moved and seconded by W. Hooper to deny the request for reconsideration of denial of licensure.

7 – Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this respondent guilty of a felony making the action appropriate.

Lunch

12:05

Joshua Smithson
Unlicensed (CNA)

Administrative Law Judge: Mary Collier
Attorney for the State: Brandi Bozarth
Respondent: Present, representing himself.

B. Wallace moved and seconded by D. Roddy to accept an agreed order to cease and desist representing himself as an LPN and to assess a civil penalty of \$3000.

8 Yes
Carried

Jackie L. Ciaffini
LPN # 57332

Administrative Law Judge: Mary Collier
Attorney for the State: Wilma James
Respondent: present, representing herself.

B. Wallace moved and seconded by D. Roddy to find in the case of Jackie L. Ciaffini the facts alleged in the Notice of Charges true, 10-14.

8 Yes
Carried

B. Wallace moved and seconded by D. Roddy to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-2-.13(13)(f)

8 Yes
Carried

B. Wallace moved and seconded by D. Roddy to place the LPN license of Jackie Ciaffini on probation, assess one type A civil penalty totaling \$1,000, assess costs and make a referral to TN PAP for a contract to be signed today. If she does not sign a contract the license will be suspended.

7 Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this action appropriate.

Fabian Ray
RN # 127337

Administrative Law Judge: Mary Collier
Attorney for the State: Brandi Bozarth
Respondent: Not present.

D. Roddy moved and seconded by B. Wallace to hold the respondent in default and hear the case today.

8 Yes
Carried

W. Collie moved and seconded by B. Wallace to find in the case of Fabian Ray the facts alleged in the Notice of Charges true, 10-16 as (amended).

8 Yes
Carried

W. Collie moved and seconded by D. Roddy to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-1-.13(1(g)).

8 Yes
Carried

W. Collie moved and seconded by D. Roddy to revoke the RN license of Fabian Ray and assess one type A civil penalty totaling \$1,000 and assess costs.

8 Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this action appropriate.

Bobbie J. Chrane
RN # 87354

Administrative Law Judge: Mary Collier
Attorney for the State: Gerry Crownover
Respondent: not present

D. Shoffner moved and seconded by B. Brennan to hold the respondent in default and hear the case today.

8 Yes
Carried

B. Brennan moved and seconded by D. Roddy to find in the case of Bobbie J. Chrane the facts alleged in the Notice of Charges true, 11-16 as amended.

8 Yes
Carried

B. Brennan moved and seconded by D. Roddy to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(C)(F) and Rue 1000-1-.13(d)(e)(t).

8 Yes
Carried

B. Brennan moved and seconded by D. Roddy to revoke the RN license of Bobbie J. Chrane and assess three type A civil penalties totaling \$3,000.00 and assess costs.

8 Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this action appropriated.

Natalie Horton
RN # 128514

Administrative Law Judge: Mary Collier
Attorney for the State: Raney Irwin
Respondent: Not present, not represented by counsel.

B. Wallace moved and seconded by D. Roddy to hold the respondent in default and hear the case today.

8 Yes
Carried

D. Shoffner moved and seconded by D. Roddy to find in the case of Natalie Horton the facts alleged in the Notice of Charges true, 10-21 as amended.

8 Yes
Carried

D. Shoffner moved and seconded by B. Brennan to find the causes of action a violation of T.C.A 63-7-115(a)(1)(C)(F) and Rule 1000-1-.13(1)(a)(b)(d)(e)(v)(w).

8 Yes
Carried

D. Shoffner moved and seconded by D. Roddy to revoke the RN license of Natalie Horton and assess ten type A civil penalties totaling \$10,000 and assess costs.

8 Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds the action appropriate.

Sharon McEachern

Judge Collier granted a continuance until the December 2005 meeting.

Recess

The meeting of the Tennessee Board of Nursing recessed at 6:00 p.m.

Reconvene

The meeting of the Tennessee Board of Nursing reconvened at 8:30 a.m. on Thursday September 8, 2005. Eight members present.

James Gregory Kapherr
LPN # 64966

Administrative Law Judge: Mary Collier
Attorney for the State: Brandi Bozartt
Respondent: Not present. Not represented by counsel.

B. Wallace moved and seconded by D. Roddy to proceed in default.

8 Yes
Carried

S. Priebel moved and seconded by B. Wallace to find in the case of James Gregory Kapherr the facts alleged in the Notice of Charges true, 10, 11-12 (amended).

8 Yes
Carried

S. Priebel moved and seconded by B. Wallace to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(B)(C) and Rule 1000-2-.13(1)(a).

8 Yes
Carried

S. Priebel moved and seconded by B. Wallace revoke the LPN license #64966 of James Gregory Kapher, assess one type A civil penalty in the amount of \$1,000, assess the costs of prosecution and recommend that he be considered for the abuse registry.

8 Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this respondent guilty of sexual battery of a patient making the board's action to revoke appropriate.

Vicky J. Smith
LPN # 30665

Administrative Law Judge: Mary Collier
Attorney for the State: Gerry Crownover
Respondent: Not present, not represented

D. Roddy moved and seconded by B. Wallace to hold the respondent in default and hear the case today.

8 Yes
Carried

D. Shoffner moved and seconded by D. Roddy to find in the case of Vicky J. Smith the facts alleged in the Notice of Charges true, 11-13.

8 Yes
Carried

D. Shoffner moved and seconded by D. Roddy to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-2- .13(1)(j)

8 Yes
Carried

D. Shoffner moved and seconded by D. Roddy to revoke the LPN license of Vicki J. Smith, assess one type B civil penalty totaling \$500.00 and assess costs. She may reapply after she meets the requirements of Minnesota to reinstate her license and appears before the Tennessee Board.

8 Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds the action appropriate.

Lisa R. Eggenberger
RN # 95415

Administrative Law Judge: Mary Collier
Attorney for the State: Wilma James
Respondent: not present, not represented.

D. Roddy moved and seconded by B. Wallace to hold the respondent in default and hear the case today.

8 Yes
Carried

D. Roddy moved and seconded by B. Wallace to find in the case of Lisa R. Eggenberger the facts alleged in the Notice of Charges true, 10, 11, 12 (amended)

8 Yes
Carried

D. Roddy moved and seconded by B. Wallace to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-1-.13(1)(j).

8 Yes
Carried

D. Roddy moved and seconded by B. Wallace to revoke the RN license of Lisa R. Eggenberger and assess one type A civil penalty of \$1,000 and one type B civil penalty of \$750.00.

8 Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds the action appropriate.

Patsy Summers
LPN #29889

Administrative Law Judge: Mary Collier
Attorney for the State: Wilma James
Respondent: not present, not represented.

D. Roddy moved and seconded by B. Wallace to hold the respondent in default and hear the case today.

8 Yes
Carried

B. Wallace moved and seconded by B. Brennan to find in the case of Patsy Summers the facts alleged in the Notice of Charges true, 10-14.

8 yes
Carried

B. Wallace moved and seconded by D. Roddy to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-2-.13(1)(j).

8 Yes
Carried

B. Wallace moved and seconded by D. Roddy to revoke the LPN license of Patsy Summers, assess one type C civil penalty totaling \$500.00 and assess costs.

8 Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds the action appropriate.

10:20

Wanda Hooper and Donna Roddy excused. Six board members present.

10:25

Donna Roddy returned. Seven board members present.

Motion for continuance

The judge granted a motion for continuance to Viola Tonia Christian and Dottie A. Wynn.

Marcy J. Scarborough
LPN # 45379

Administrative Law Judge: Mary Collier
Attorney for the State: Raney Irwin
Respondent: not present, not represented.

B. Wallace moved and seconded by W. Collie to hold the respondent in default and hear the case today.

6 Yes
Carried

W. Collie moved and seconded by D. Shoffner to find in the case of Marcy J. Scarborough the facts alleged in the Notice of Charges true, 10-15.

6 Yes
Carried

W. Collie moved and seconded by B. Wallace to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(G).

6 Yes
Carried

W. Collie moved and seconded by B. Wallace to revoke the LPN license of Marcy J. Scarborough, assess one type A civil penalty totaling \$1,000.00 and assess costs.

6 Yes
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds the action appropriate.

Recusal

Dava Shoffner recused herself from the vote having been out of the room for part of the hearing – Six members present to vote.

Jayne L. Love
RN # 141466

Administrative Law Judge: Mary Collier
Attorney for the State: Gerry Crownover
Respondent: not present, not represented.

D. Roddy moved and seconded by B. Wallace to hold the respondent in default and hear the case today.

6 Yes
Carried

D. Roddy moved and seconded by B. Wallace to find in the case of Jayne L. Love the facts alleged in the Notice of Charges true, as amended.

6 Yes
Carried

D. Roddy moved and seconded by B. Wallace to find the causes of action a violation of T.C.A. 63-7-115(a)(1)(F) and Rule 1000-1-.13(1)(b)(d).

6 Yes
Carried

D. Roddy moved and seconded by B. Wallace to place the RN license of Jayne L. Love on probation, assess three type A civil penalties totaling \$3,000.00, assess costs and require her to enroll in a course on documentation within six months.

5 Yes
1 No
Carried

It is the policy of the board to protect the health, safety, and welfare of the citizens of Tennessee. The board finds this action appropriate.

Consent Orders

C. Stegbauer moved and seconded by D. Roddy to ratify the following consent orders:

	<u>Respondent</u>	<u>Professional License #</u>	<u>Expiry/Date</u>	<u>Action</u>
1.	Sheryle (Tonda) Armstrong P.O. Box 93 Belvidere, TN 37306	RN # 76734	4/30/07	revocation
2.	Deborah Butcher 121 Park Place Harriman, TN 37748	LPN # 46916	11/30/06	probation 1 yr. CEUs, single state
3.	Narda Carroll C/O Brenda Walker Rd1 Box 300-A Wheeling, WV 26003	LPN # 58827	8/31/01	revocation
4.	Susan Lynn Clark 101 Alden Ave. Chattanooga, TN 37405	RN # 102213	11/30/04	revocation
5.	Jerry R. Chism 328 N. Crabtree St. Jamestown, TN 38556	LPN # 49239	9/30/05	revocation
6.	Lynn M. Critchfield 512 Kingswood St. Kingston, TN 37763	RN # 136321	3/31/06	revocation
7.	Charlotte Fisher 708 Lena Street Nashville, TN 37208	LPN # 13474	11/30/05	revocation
8.	Connie D. Hamby 506 Old Stage Rd. Erwin, TN 37650	RN # 71336	5/31/06	probation
9.	Pamela Gay Hardaway 355 No. Highland Ave. Apt# C Jackson, TN 38301	RN # 70482	6/30/07	probation

10.	Susan Noel Henry 7708 Hwy. 70 N. Crossville, TN 38571	LPN # 64796	12/31/05	revocation
11.	Carma L. Jack 2005 Hutton Dr. Nashville, TN 37210	RN # 117934	11/30/05	probation
12.	Wanda H. Jones 1108 County Rd. #750 Athens, TN 37303	RN # 28984	12/31/06	probation
13.	Stephanie L. King 105 Wix Ave. Portland, TN 37148	LPN # 61387	1/31/07	probation
14.	Stacy K. Lee 1130 McArthur Rd. Maryville, TN 37804	LPN # 43895	8/31/03	revocation
15.	Lisa Jane Pollock 1210 Park Creek Circle Lawrenceville, GA 30244	RN # 59508	12/31/90	revocation
16.	Phillip T. Raiford Jr. 80 Cedarfield Rd. Pinson, TN 38366	RN # 63075	11/30/05	Suspension, probation, CE
17.	Mende Raines 1216 Folkstone Place Knoxville, TN 37931	LPN # 63028	11/30/04	probation
18.	Ann Ross 921 Gale Lane Nashville, TN 37204	LPN # 19868	4/30/05	revocation
19.	Norma Scarlett 195 Ron Marks Lane Gainesboro, TN 38562	RN # 68127 APN # 6002	8/31/07	Suspension, probation CE
20.	Jasper Tadianan 529-A West Sola Street Santa Barbara, CA 93101	RN # 98867	3/31/02	revocation

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| 21. | Teresa M. Vestal
1107 Horton Rd.
Unicoi, TN 37692 | LPN # 49527 | 11/31/05 | probation |
| 22. | Michelle A. Wilson
640 The Trace
Dover, TN 37058 | LPN # 45021 | 11/30/05 | probation |
| 23. | Myrna E. York-Rogers
414 W Young High Pk.
Knoxville, TN 37920 | LPN # 45009 | 01/31/07 | probation |
| 24. | Jennifer Moneyheffer
PO Box 383
Signal Mountain, TN 37377 | RN # 138010 | 5/31/06 | probation |

6 – Yes
Carried

Insufficient Funds/Administrative
Revocation

D. Roddy moved and seconded by B. Wallace to
administratively revoke the following licenses for non
payment of fees:

Administrative Revocations for Insufficient Funds

	<u>Respondent</u>	<u>Profession and License #</u>	<u>Expiry Date</u>
1.	Jason Delvin Benton 1002 Lot 5 Road Lebanon, TN 37087	RN # 125940	3/31/07
2.	Maude King Bruce 1764 NW 71 Ave. Plantation, FL 33313	RN # 112586	1/31/05
3.	Gregory L. Clabough 10610 Lone Star Way Knoxville, TN 37932	LPN # 43978	5/31/07
4.	Melanie P. Carswell 401 Crestfield Road Bristol, TN 37620	RN # 60795	3/31/07
5.	Camille M. Fitzwater 3702 Englewood Circle S. Nashville, TN 37216	LPN # 58096	10/31/06

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|-----|--|-------------|----------|
| 6. | Amber N. Gernt (Jones)
1319 Old Allardt Road
Jamestown, TN 38556 | LPN # 54613 | 9/30/06 |
| 7. | Marilyn J. Herring
2039 Ambergate Lane #1
Cordova, TN 38016-3725 | RN # 58503 | 1/31/07 |
| 8. | Julia F. Kotee
2234 E. River Trace Dr. Apt. 4
Memphis, TN 38134 | RN # 120562 | 3/31/07 |
| 9. | Tammy L. Long-Cowan
357 Shaw Chapel Rd.
Brownsville, TN 38012 | RN # 117096 | 12/31/06 |
| 10. | Kelley F. Maschke
1302 Tracy Lane SW
Hartselle, AL 35640 | LPN # 55814 | 2/29/04 |
| 11. | Sherry W. Perry
351 Debry Lane
Franklin, TN 37064 | RN # 59462 | 3/31/07 |

Adjournment

2:30 p.m.

Cheryl Stegbauer, PhD, RN
Chairman

Date

Elizabeth J. Lund, MSN, RN
Executive Director

Date

EJL/G5015252/BN